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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-fourth session

Summary record (partial)* of the 1403rd meeting
Held at the Palais des Nations, Geneva, on Monday, 4 July 2016, at 10 a.m.

Chair: Ms. Hayashi

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.15 a.m.

Opening of the session

1. **The Chair** declared open the sixty-fourth session of the Committee on the Elimination of Discrimination against Women.

Statement by the United Nations Deputy High Commissioner for Human Rights

2. **Ms. Gilmore** (United Nations Deputy High Commissioner for Human Rights) said that it was an honour for her to attend the opening of the Committee's sixty-fourth session. She congratulated the members of the Committee who had been re-elected in June 2016, namely Ms. Ameline (France), Ms. Gbedemah (Ghana), Ms. Haidar (Lebanon), Ms. Leinarte (Lithuania) and Ms. Nwankwo (Nigeria), and thanked those members who had not stood for re-election and whose term would expire at the end of 2016, namely Ms. Al-Dosari (Qatar), Ms. Bailey (Jamaica), Mr. Bruun (Finland), Ms. Pimentel (Brazil), Ms. Pomeranzi (Italy) and Ms. Zou Xiaoqiao (China), for their contribution to the Committee's work.

3. The 2030 Agenda for Sustainable Development was unprecedented for several reasons. Firstly, with over 1 million people having contributed to its design, it was the outcome of the broadest consultation ever undertaken by the United Nations system. Secondly, having been unanimously adopted by the States Members, it was a truly universal agenda which reaffirmed that human rights should be enjoyed by all persons and should be rigorously upheld irrespective of a country's economic situation or level of development. Thirdly, the 2030 Agenda was indivisible insofar as no single United Nations agency could claim ownership of any particular Sustainable Development Goal; all United Nations agencies were expected to work in partnership towards the achievement of all 17 of the Goals. Lastly, the Agenda was inclusive of all segments of society and, wherever possible, gave priority to assisting those segments that had been historically marginalized or deprived of their rights.

4. It was vital to take the situation of women into account when discussing the 2030 Agenda's implementation. The successful achievement of the 2030 Agenda ultimately hinged on elevating the status of women, removing obstacles to the full realization of their human rights and increasing their participation in decision-making processes.

5. Currently, the average age of the population of developing countries was significantly lower than that of developed countries, owing to a shorter life expectancy and it was the youngest countries that bore the brunt of climate change and armed conflict. Since the overriding purpose of the 2030 Agenda was arguably to ensure that the young people of today inherited a better world, it was vital to involve the younger generations, particularly young women, in discussions about how best to achieve the Sustainable Development Goals from the outset. A review of the impact of the 2030 Agenda on the situation of young women would serve as a true litmus test for whether or not it had been successfully achieved.

6. The Committee had a key role to play in impressing upon States parties the importance of ensuring that young girls completed their education, were protected from sexual violence and had access to sexual and reproductive health-care services, and thus helping to eradicate gender stereotypes and other forms of gender-based discrimination.

7. The Office of the United Nations High Commissioner for Human Rights (OHCHR) recognized that the operational challenges facing the Committee as a result of the treaty body strengthening process — notably the lack of sufficient financial and human resources to cope with its increased workload and the unwanted changes to its working methods — were frustrating, and was examining the possibility of reallocating resources to alleviate

that situation. The Committee and OHCHR needed to work together to make the best possible use of available resources.

8. The recently adopted resolutions of the Human Rights Council on preventing and responding to violence against women, including indigenous women; eliminating female genital mutilation; equal enjoyment of the right to education by every girl; equal nationality rights for women; and the impact of multiple and intersecting forms of discrimination on the human rights of women and girls, had only served to highlight the intersectionality between the broader work of the Council and that of the Committee.

9. Regrettably, although perhaps not unexpectedly, there had been considerable disagreement among States Members over issues such as abortion, sexuality education, the extension of the mandate of the Working Group on the issue of discrimination against women in law and in practice, and the appointment of an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, the latter resolution having been adopted by a slim majority only.

10. As the Committee embarked upon the work scheduled for its sixty-fourth session, it should not lose sight of the fact that it remained a global leader in the fight against discrimination against women and that its jurisprudence remained an authoritative reference for many actors in that field. On behalf of the United Nations High Commissioner for Human Rights, she thanked the Committee for all that it did to protect and promote women's rights.

11. **Ms. Ameline** said that there was a need to reflect on how the issue of States parties' accountability vis-à-vis their obligations under the Convention should be addressed in global development policies. Despite being the most effective tool for mainstreaming women's rights in global development policies, the Convention was not always given its rightful place in such policies, either within the United Nations system or at the national level. A special mechanism or procedure should be adopted to ensure that the Convention and the obligations deriving from it were a primary consideration in activities undertaken as part of the global development agenda.

12. **Mr. Bruun** said that, since 2003, the Committee had witnessed a sharp increase in the number of complaints being submitted to it. It was currently dealing with a total of 46 cases and, to date, had reached a decision on 23. Regrettably, the present backlog looked set to continue, as the secretariat could only prepare three or four communications per session. The Committee's inability to issue decisions on individual complaints in a timely fashion could seriously damage its credibility in the eyes of complainants, who, in some cases, had been waiting for a decision for years. It would be helpful if OHCHR could suggest ways to expedite the Petitions Team's work with a view to clearing the present backlog in the near future.

13. **Ms. Patten** said that, in the light of the resolutions recently adopted by the Human Rights Council, she would be interested to know the position of OHCHR on the proposal to adopt a new convention on violence against women.

14. **Ms. Schulz** said that the Committee needed to receive substantive and analytical support, as well as technical support, from OHCHR in order to conduct its work and produce its concluding observations and other essential documents, especially during the intersessional period.

15. **Ms. Halperin-Kaddari** said that the lack of awareness of the Committee's work among other United Nations human rights bodies was a problem. For example, it was regrettable that during the discussions leading to the adoption of the Human Rights Council resolution on the protection of the family (A/HRC/RES/29/22), no reference had been made to the Committee's jurisprudence, which might have enriched the text of the resolution. She

would welcome suggestions as to how the Committee's jurisprudence could be made more widely known to other bodies and how cooperation between the Committee and the various mechanisms of the Human Rights Council could be enhanced.

16. **Ms. Pomeranzi** asked what role the United Nations Secretariat would play in implementing the 2030 Agenda following the Economic and Social Council high-level political forum on sustainable development due to take place in July 2016.

17. **Ms. Haidar** said the fact that States Members had been actively involved in devising the Sustainable Development Goals and had considered human rights implications while doing so was a positive development. However, the Committee needed to reflect on how best to ensure that women's human rights were fully incorporated into United Nations sustainable development policies, especially in view of the long-standing territorial divisions between the different organs of the Secretariat that significantly complicated that task. She wondered whether OHCHR would take steps to address that problem and foster greater cooperation between the organs in question.

18. **Ms. Gilmore** (United Nations Deputy High Commissioner for Human Rights) said that OHCHR viewed the 2030 Agenda as an operational tool for implementing the body of international human rights and development instruments ratified by States Members. The Agenda effectively provided States Members with a 15-year time frame for becoming fully acquainted with and fulfilling their international obligations in those areas, pending a post-2030 assessment. All United Nations agencies were required to work together to deliver the 2030 Agenda, making any cultural or organizational changes necessary to achieve that end. Developed and developing countries were equally accountable for achieving the Sustainable Development Goals by 2030.

19. One of the greatest impediments to the United Nations system delivering the 2030 Agenda as one was that, over time, it had lost sight of the fact that its highest duty was to the people who, as holders of human rights, it was supposed to serve. The 2030 Agenda effectively shifted the focus of activity of the different agencies making up the United Nations system back to the people.

20. OHCHR had invested in building the capacity of United Nations country teams; had integrated human rights issues into the United Nations Development Assistance Framework Guidelines; had listed knowledge of human rights as a requirement in the job description and planning guidelines for Resident Coordinators; and had insisted that the recommendations of the treaty bodies and special rapporteurs, as well as the resolutions of the Human Rights Council, should be among the criteria used in common country assessments. It had also launched a series of dialogues on different areas of human rights in which gender was a cross-cutting theme in order to foster greater cohesion within the United Nations system for the purpose of implementing the 2030 Agenda.

21. In a sense, the increasing number of complaints being submitted to the Committee attested to the relevance of its work and the fact that the right to refer individual complaints to international human rights mechanisms was being upheld in practice. However, OHCHR was aware that the lack of adequate human and financial resources brought significant pressure to bear on Committee members and, in order to remedy that situation, was examining the possibility of adopting new organizational arrangements that would allow better value to be derived from existing budgetary resources. If the Fifth Committee approved the relevant decisions, OHCHR planned to merge a number of divisions so as to provide the treaty bodies with more extensive support; to cut costs by moving staff from more expensive duty stations, such as Geneva, to countries where there was high demand for OHCHR assistance on the ground; and to undertake reforms at the managerial level.

22. The proposal to adopt a new convention on violence against women was most likely a product of the frustration surrounding the lack of progress towards eradicating that

phenomenon made to date. However, OHCHR viewed the Convention as the most effective tool for addressing violence against women and was not convinced of the need to adopt another instrument.

Adoption of the agenda and organization of work (CEDAW/C/64/1)

23. *The agenda was adopted.*

Report of the Chair on activities undertaken between the sixty-third and sixty-fourth sessions of the Committee

24. **The Chair** said that, since the previous session, there had been no change in either the number of States parties to the Convention or the number that had accepted the amendment to article 20 (1), but the number of States that had ratified the Optional Protocol to the Convention had risen to 107 following the accession of Monaco in May 2016. Five States parties — the Democratic People's Republic of Korea, Fiji, Kenya, New Zealand and Oman — had submitted periodic reports and Monaco had submitted its initial report. In addition, Burkina Faso and Montenegro had submitted the electronic version of periodic reports previously submitted in hard copy version only. After submitting an updated version of its common core document, Mauritius now met the criteria for submitting its overdue eighth periodic report under the simplified reporting procedure.

25. At the sixtieth session of the Commission on the Status of Women held in New York in March, she had delivered the statement previously agreed with Committee members and had participated in a number of panel discussions. She had also met with the Secretary-General to brief him on the dialogues held during the sixty-third session and on the Committee's work on sustainable development, gender-based violence, disaster risk reduction and climate change.

26. In May, she had travelled to Bangkok to take part in a regional training of trainers' workshop on treaty body reporting organized by the OHCHR Treaty Body Capacity-Building Programme. Fifteen countries in the region had been represented at the event, including the Democratic People's Republic of Korea, the Republic of Korea and Thailand, all of which had recently submitted periodic reports to the Committee.

27. Shortly thereafter, she had attended the twenty-eighth meeting of the Chairs of the human rights treaty bodies in New York. The Chairs had reflected on the shape of the treaty body system in 2020 and had reiterated the need for OHCHR to guarantee sufficient material and financial resources for the treaty bodies' work. They had also discussed the guidelines on the independence and impartiality of members of the human rights treaty bodies and the guidelines against intimidation or reprisals.

28. **Ms. Schulz** said that she had contributed to advanced study courses on mechanisms and instruments for the protection of women's rights run by the universities of Bern and Geneva. She had also attended the annual meeting of the NGO-coordination post Beijing Switzerland group; a two-day meeting of the International Service for Human Rights focused on finalizing the draft model law on human rights defenders; and a seminar on informality and income insecurity organized by the United Nations Research Institute for Social Development at which delegates had considered whether an unconditional basic income could provide an effective universal solution. She had also moderated a side event on the situation of Arab women during the recent session of the Human Right Council and had been interviewed about intersectional discrimination by the Human Rights Trust Fund in London.

29. **Ms. Nwanko** said that she had attended a national tribunal on women in politics in Abuja at which a panel of judges had considered the delays impeding the adoption of the bill to transpose the Convention into domestic law. Although the Senate had previously

rejected the bill on the grounds that its content was inconsistent with the religious and cultural views of certain communities of Nigeria, the judges had ultimately ordered the legislature to proceed with the Convention's domestication. The bill had since been resubmitted to the Senate and advocacy work was ongoing.

30. **Ms. Acosta Vargas** said that, in March, she had travelled to El Salvador to take part in a number of events organized by OHCHR to promote the ratification of the Optional Protocol and closer cooperation with the United Nations system in general. In April, accompanied by Ms. Pimentel, she had visited the Plurinational State of Bolivia to discuss, inter alia, the concluding observations issued to the State party in 2015. The mission had included meetings with representatives of the judiciary, the legislature, civil society, Government ministries and the press, and had been extremely fruitful. She had also travelled to Mexico to attend a symbolic tribunal on maternal mortality and obstetric violence organized by a group of NGOs at which participants had heard over 20 cases of extreme violations of the right to life, health and psychological integrity.

31. **Ms. Jahan** said that, on the invitation of the Independent Permanent Human Rights Commission established by the Organization of Islamic Cooperation (OIC), she had served as a panellist in a thematic debate on the impact of women's empowerment on sustainable development in OIC member States held in Jeddah in May. At that event, she had taken the opportunity to urge those OIC member States that had entered reservations to article 16 of the Convention to reconsider their position and take concrete steps to achieve women's empowerment. The possibility of more formal contact with the Committee had aroused significant interest among many of the independent experts present and in her view merited further consideration.

32. **Ms. Gbedemah** said that, besides attending the tribunal in Abuja with Ms. Nwanko, she had travelled to Hanoi to attend the Regional Asia-Pacific Conference on Gender and Disaster Risk Reduction at which she had explained the rationale for a general recommendation on climate change and disaster risk reduction and the nexus between the Convention and the Sendai Framework. In Geneva she had attended a conference on election standards and obligations organized by the Carter Centre at which she had been able to highlight the Committee's considerable achievements in that area.

33. **Ms. Gabr** said that she had given a presentation at a meeting of the open-ended intergovernmental working group on a United Nations declaration on the rights of peasants and other people working in rural areas. She had provided a comparative analysis of the content of the proposed declaration and the text of the Committee's general recommendation No. 34 on the rights of rural women and had called for the declaration's prompt adoption. She had also delivered a statement on equality in employment matters in States of the Mediterranean region at a conference in Palermo.

34. **Ms. Zou** Xiaoqiao said that she had served as a panellist in a discussion on women's role in peacebuilding, security and development at the Global Women Leaders Forum organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Council of Women in Business in Bulgaria. In addition, she had given a keynote address on women's rights in political and public life at the Nordic sub-forum of the World Women University Presidents Forum.

35. **Ms. Haidar** said that she had participated in an important side event during the session of the Commission on the Status of Women in New York, which had been organized by the Inter-Parliamentary Union (IPU) and had been attended by female parliamentarians from Morocco. In addition, she had travelled to Russia to give three lectures as part of a master's programme run with support from OHCHR and had taken part in an inter-institutional panel discussion on prohibited practices such as forced marriage organized by the International Organization of la Francophonie.

36. **Ms. Arocha Domínguez** said that she had attended the International Conference on Women, Gender and Law organized by the Union of Cuban Jurists at which 75 States had been represented. She had continued to serve as gender adviser to the gender subcommittee in the Colombian peace negotiations and, in that capacity, had attended a forum examining the situation of former women guerrillas which had provided her with a further opportunity to highlight the relevance of the Committee's general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations.

37. **Ms. Pimentel** said that she had been involved in advocacy work to raise awareness of the Committee's general recommendation No. 33 on women's access to justice among members of the judiciary throughout Brazil and had given lectures about the role of the Convention and the Optional Protocol as part of a university degree programme on gender equality. More recently, she had been interviewed for a high-profile press article concerning a recent extreme case of sexual violence in which a 16-year-old girl had been gang raped by a group of over 30 men and boys in Rio de Janeiro. In the interview, she had highlighted the sexism and machismo that underpinned such violence.

38. **Mr. Bruun** said that he had given a presentation on international instruments for the elimination of violence against women at a panel discussion on gender equality hosted by the Human Dimension Committee of the Organisation for Security and Co-operation in Europe, during which he had highlighted the Convention's role as a global instrument for addressing gender-based violence.

39. **Ms. Pomeranzi** said that she had attended a conference on the implementation of the Sustainable Development Goals organized by the Geneva Academy at which she had had the pleasure to meet with the United Nations Special Rapporteur on violence against women. It had been evident at that event that, while the special procedures mandate holders were conscious of the role of human rights in the implementation of the Sustainable Development Goals, there was a feeling that the treaty bodies could do more to support the sustainable development agenda in general.

40. **Ms. Bailey** said that, with Ms. Ameline and Ms. Haidar, she had travelled to New York to attend a meeting organized by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to consider the framework for monitoring progress towards achievement of Goal 5 of the Sustainable Development Goals, namely gender equality. She had presented a paper that had examined the role of the Committee in the development and implementation of that framework. She hoped to provide Committee members with a detailed briefing on the meeting in the course of the session, especially in view of the lack of clarity regarding the Committee's future role in monitoring and measuring progress.

41. **Ms. Patten** said that she had been involved in an Inter-Parliamentary Union initiative to assess the gender impact of five pieces of labour-related legislation in Turkey and had presented the results to the National Assembly in Ankara. In Copenhagen, she had given a presentation on the right to abortion of women and girl victims of rape in conflict and post-conflict settings at the Fourth Women Deliver Global Conference and, in Geneva, she had highlighted the role of the Convention and the Committee at the Expert Workshop on the Right to Participate in Public Affairs organized by OHCHR. She had also travelled to Vietnam to support the Government in the development of a national action plan on gender equality and the implementation of the Committee's concluding observations.

42. **Ms. Ameline** said that she had been overseeing a project to promote equal opportunities in education and employment in Egypt and other countries of the Mediterranean region that was sponsored by a number of leading multinational companies and was also supported by UN-Women. One of the aims was to better understand the link

between women's rights and development. An initial assessment of the barriers to women's development and the role of the various parties in overcoming them was already under way.

Consideration of reports submitted by States parties under article 18 of the Convention

43. **Ms. Nwanko**, introducing the report of the Chair of the pre-sessional working group for the sixty-fourth session, said that the working group had met from 23 to 27 November 2015 to prepare lists of issues and questions concerning the periodic reports of Albania, France, Mali, Myanmar, the Philippines, Trinidad and Tobago, Turkey and Uruguay. The working group had also prepared a list of issues prior to reporting on Ireland, whose report was due to be considered at the sixty-sixth session. In preparing the lists, the Committee had paid particular attention to States parties' follow-up to its concluding observations on their previous reports. The group had received written and oral information from entities and specialized agencies of the United Nations system, from NGOs and from national human rights institutions. The finalized lists of issues and questions had been transmitted to the States parties concerned.

Follow-up to the consideration of reports submitted by States parties under article 18 of the Convention

44. **Ms. Zou** Xiaoqiao, briefing the Committee on the status of follow-up reports received from States parties, said that, during the sixty-third session, she had met with representatives of Indonesia, whose responses had been positive. At the end of the session, follow-up letters outlining the outcome of assessments of follow-up reports had been sent to Bosnia and Herzegovina, Cuba, Greece, Lesotho, Panama, Samoa, South Africa and Tajikistan. First reminders about overdue follow-up reports had been sent to Andorra and Benin. The Committee had received follow-up reports from Cambodia with a four-month delay, Pakistan with a nine-month delay, Serbia with a seven-month delay, the Syrian Arab Republic with a six-month delay, and the United Kingdom of Great Britain and Northern Ireland on time.

45. She invited the country rapporteurs for Finland, Moldova, Pakistan, the Syrian Arab Republic and the United Kingdom of Great Britain and Northern Ireland to assist in the assessment of the follow-up reports and called for volunteers to assist in the assessment of the follow-up reports sent by Cambodia, Guyana and Serbia. During the current session, first reminders should be issued to Cameroon, Kazakhstan and Sierra Leone and second reminders should be sent to Cabo Verde, the Central African Republic, the Democratic Republic of the Congo and the Dominican Republic. In addition, meetings should be scheduled with representatives of the Comoros, Equatorial Guinea and Jamaica.

The discussion covered in the summary record ended at 11.55 a.m.